

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Examiner is also thanked for the courtesies extended to Applicant's Representative during the telephone conference of April 19, 2010. The claim amendments made above, and the remarks that follow, reflect the substance of the interview. The Office Action mailed November 17, 2009 and the Interview Summary mailed April 20, 2010 have been received and their contents carefully reviewed.

Claims 1, 3, 6, 9, and 14 are hereby amended. Claims 2 and 10 are hereby canceled without prejudice or disclaimer. Claims 4, 5, 12, 13, and 16-20 were previously canceled. No claims have been added. Accordingly, claims 1-3, 6-9, 11, and 14-15 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The specification has been amended by replacing the word "re-circulated" with the word "re-filtered" to more clearly reflect the English language idiomatic expression of air flowing through the "moist air absorber." See ref. no. 115 of the exemplary embodiment described at paragraphs [46], [47], and [51] of the application as published under International Publication No. WO 2006/080707. The word re-filtered considered a closer translation of the original Korean language application.

Independent claims 1 and 9 were amended, at least to more clearly describe the air duct as a shape that "folds horizontally back and forth upon itself to form a vertical stack of horizontal duct segments." Support for these amendments can be found at least in paragraph [50] and FIGs. 2 and 3 of the application as published under International Publication No. WO 2006/080707. As discussed during the telephonic interview of April 19, 2010, the art of record does not disclose a condensing apparatus having an air duct with such a shape. Claims 3, 6, and 14 were amended to maintain proper antecedent basis with newly amended claims 1 and 9.

Claim 9 was amended to clarify the recitation of the condensed water discharge port (as illustrated in the exemplary embodiment as ref. no. 201) and the vapor exhaust port (as illustrated in the exemplary embodiment as ref. no. 202). Support for the amendment can be found, for example, at paragraph [51], lines 6-10 of the application as-published, where it is

stated that “the condensed water flowing along the inside of the air duct is ultimately discharged at the condensed water discharge port 201 into the tub.” Support can also be found, for example, at paragraph [52], lines 4-7, wherein it is stated: “The water vapor is condensed through the heat exchange, and the condensed water re-enters the tub 110 through the condensed water discharge port 201. The air is then exhausted through the vapor exhaust port 202 to the outside.” In other words, condensed water is re-circulated into the tub, while the air is exhausted to a space outside of the dishwasher.

**The Office has provisionally rejected claims 1 and 6-8 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 3-4, 10, 12-13, 15, and 21-22 of copending U.S. Patent Application No. 10/580,117.** *Office Action* at ¶ 5. Applicant respectfully disagrees with the Office, however, Applicant notes that this is a provisional rejection and both applications are still pending. Accordingly, Applicant reserves the right to further address this rejection upon an indication of allowability of this or the copending application.

**The Office rejects claims 1-3, 6, 9-11, and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2003/0140517 to Schmid (*Schmid*).** *Office Action* at ¶ 9. Claims 2 and 10 are canceled herein. Accordingly, the rejection of those claims is moot. Applicant respectfully traverses the rejection of the remaining claims.

*Schmid* fails entirely to describe, either expressly or inherently, “an air duct forming a vapor passage, comprised of a plurality of vertically stacked horizontal duct segments spaced apart from each other in a vertical direction, a first end of a topmost horizontal duct segment being fluidly coupled to the blower, and each of the remaining plurality of horizontal segments being fluidly connected to the horizontal duct segment directly above it by a curved duct segment such that the air duct folds horizontally back and forth upon itself to form a vertical stack of horizontal duct segments” as recited in independent claim 1. *Schmid* also fails entirely to describe, either expressly or inherently, “a plurality of horizontal parts forming a plurality of horizontal air duct segments; vertical parts, extending from an upward bend at a first end of each of the plurality of horizontal air duct segment and a downward bend from a second end, opposite to the first end, wherein each upwardly bent vertical part is in fluid communication with a corresponding downwardly bent vertical part of the horizontal

air duct segment immediately above it, such that the air duct folds horizontally back and forth upon itself to form a vertical stack of horizontal duct segments” as recited in independent claim 9.

Accordingly, independent claims 1 and 9 are patentably distinguishable over *Schmid*. Claims 3 and 6 depend from independent claim 1. Claims 11 and 14 depend from independent claim 9. It stands to reason that these claims are likewise patentably distinguishable for at least the same reason. Accordingly, Applicant respectfully requests withdrawal of the 35 USC 102(b) rejection of claims 1-3, 6, 9-11, and 14.

**The Office rejects claims 1-3, 6, 9-11, and 14 under 35 U.S.C. § 103(a) as being unpatentable over *Schmid* in view of U.S. Patent No. 5,277,210 to Kim (*Kim*). *Office Action* at ¶13.** Claims 2 and 10 are canceled herein. Accordingly, the rejection of those claims is moot. Applicant respectfully traverses the rejection of the remaining claims.

For at least the reason provided above with respect to the 35 USC 102(b) rejection of claims 1-3, 6, 9-11, and 14, *Schmid* fails to teach or suggest all of the limitations of independent claims 1 and 9. *Kim* fails to cure the deficiency of *Schmid*. In fact, *Kim* was only cited for a broad and purported teaching of “a dishwasher having an air outlet which communicates to an outside of the dishwasher ... for discharging hot, humid, and pressurized air to the outside ....” *Office Action* at ¶ 14.

Accordingly, independent claims 1 and 9 are patentably distinguishable over *Schmid* in view of *Kim*. Claims 3 and 6 depend from independent claim 1. Claims 11 and 14 depend from independent claim 9. It stands to reason that these claims are likewise patentably distinguishable for at least the same reason. Accordingly, Applicant respectfully requests withdrawal of the 35 USC 103(a) rejection of claims 1-3, 6, 9-11, and 14.

**The Office rejects claims 7-8 and 15 under 35 U.S.C. § 103(a) as being unpatentable over *Schmid* in view of *Kim* and further in view of U.S. Patent No. 5,337,500 to Enokizonio (*Enokizonio*). *Office Action* at ¶16.** Applicant respectfully traverses this rejection and requests reconsideration.

For at least the reason provided above with respect to the 35 USC 103(a) rejection of claims 1-3, 6, 9-11, and 14, *Schmid* in view of *Kim* fails to teach or suggest all of the

limitations of independent claims 1 and 9, from which dependent claims 7-8 and 15 depend, respectively. *Enokizonio* fails to cure the deficiencies of *Schmid* and *Kim*. In fact, *Enokizonio* was only apparently cited as a purported proof that “it is well known in the art to provide a dryer and a condenser fan both of which are driven by a single motor ....” *Office Action* at ¶ 19.

Accordingly, independent claims 1 and 9 are patentably distinguishable over *Schmid* in view of *Kim* and further in view of *Enokizonio*. Claims 7-8 and 15 depend from independent claims 1 and 9, respectively. It stands to reason that these claims are likewise patentably distinguishable for at least the same reasons. Accordingly, Applicant respectfully requests withdrawal of the 35 USC 103(a) rejection of claims 7-8 and 15.

### **CONCLUSION**

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

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